

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. MJ08-31
v.)
KULWANT SINGH BRAR,) DETENTION ORDER
Defendant.)

)

Offense charged:

Count I: Possession with Intent to Distribute Marijuana, in violation of Title 21, U.S.C., Sections 841(a)(1) and 846(b)(1)(D).

Date of Detention Hearing: February 7, 2008

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Mary Dimke. The defendant was represented by Terrence Kellogg.

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DETENTION ORDER
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1 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

2 (1) There is probable cause to believe the defendant committed the drug offense of
3 possession with intent to distribute marijuana. The maximum penalty is in
4 excess of ten years. There is therefore a rebuttable presumption against the
5 defendant's release based upon both dangerousness and flight risk, under Title
6 18 U.S.C. § 3142(e).

7 (2) The defendant has no stable employment.

8 (3) He has mental health issues and no ongoing treatment.

9 (4) He is a Canadian citizen.

10 (5) Defendant has no strong family ties and no apparent community support in
11 Canada.

12 (6) There is a BICE detainer filed against defendant.

13 Based upon the foregoing information, it appears that there is no condition or combination of
14 conditions that would reasonably assure future Court appearances and/or the safety of other
15 persons or the community.

16 **It is therefore ORDERED:**

17 (1) The defendant shall be detained pending trial and committed to the custody of
18 the Attorney General for confinement in a correction facility separate, to the
19 extent practicable, from persons awaiting or serving sentences or being held in
20 custody pending appeal;

21 (2) The defendant shall be afforded reasonable opportunity for private consultation
22 with counsel;

23 (3) On order of a court of the United States or on request of an attorney for the
24 Government, the person in charge of the corrections facility in which the
25 defendant is confined shall deliver the defendant to a United States Marshal for
26 the purpose of an appearance in connection with a court proceeding; and

1 (4) The clerk shall direct copies of this order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United
3 States Pretrial Services Officer.

4 DATED this 11th day of February, 2008.

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8 MONICA J. BENTON
9 United States Magistrate Judge
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